

## **FULL TEXT - CHARTER QUESTION #1**

*If Charter Question #1 passes, then the amendment to the Charter depends on the result of the vote on Charter Question #2.*

## **FULL TEXT - CHARTER QUESTION #2**

***IF ALTERNATIVE A IS ADOPTED:***

***Amend RCH Section 3-102:***

### **Section 3-102. Number, Election and Terms of Office of Councilmembers —**

The council shall consist of nine members. One member shall be elected from each of the nine districts hereinafter provided. Except as provided in Section [16-122] 16-, the regular terms of office of councilmembers shall be four years beginning at twelve o'clock meridian on the second day of January following their election. [The terms shall be staggered in accordance with Section 16-122. No person shall be elected to the office of councilmember for more than two consecutive four-year terms.]

***Amend RCH Section 13-116 (see paragraph no. 1):***

### **Section 13-116. City Elections —**

1. In general: City elections shall be conducted in accordance with the election laws of the state insofar as applicable, but all city elective officers shall be elected by nonpartisan special elections. Except as otherwise provided in this charter, such special elections shall be held in conjunction with the primary and general elections of the applicable year. In the case of the council, such special elections shall be held in 2002 and every second year thereafter, and after the 2010 special elections, every fourth year thereafter. In the case of the mayor and the prosecuting attorney, such special elections shall be held every fourth year following the 1992 election.

2. First special election: In the case of the offices of mayor, prosecuting attorney or councilmember, any candidate receiving a majority of the votes cast for that office shall be deemed elected. However, if there is no more than one candidate for each of the offices of mayor, prosecuting attorney or councilmember, such persons shall be deemed elected regardless of the number of votes received.

3. Second special election: Unless a candidate for mayor, prosecuting attorney, or councilmember is elected in the first special election, the names of the two candidates receiving the highest number of votes for these offices in the first special election shall be placed on the ballot for the second special election. At the second special election the candidates receiving the highest number of votes for mayor, prosecuting attorney and councilmember, respectively, shall be deemed elected.

***Repeal RCH Section 16-122 and insert new language:***

**Section 16- . Transitional Provisions for the Elimination of Councilmembers'**

**Term Limits and Staggered Terms —**

1. Term limits for councilmembers and the staggering of councilmember terms shall end at twelve o'clock meridian on January 2, 2011, and shall be implemented in accordance with this section.

2. A person elected as councilmember to a four-year regular term in 2002 and 2006 in council districts II, IV, VI and VIII shall be eligible for election to a four-year regular term in 2010.

3. A person elected to serve as councilmember for council districts I, III, V, VII or IX in the special elections held in 2008, shall be elected to a two-year regular term commencing on January 2, 2009.

4. After the expiration of the two-year regular term for council districts I, III, V, VII or IX established by this section, the subsequent regular terms of the councilmembers of the odd-numbered council districts shall be subject to Section 3-102.

5. For the special elections held in 2010, councilmembers for all nine council districts shall be elected to four-year regular terms commencing on January 2, 2011, and thereafter shall be eligible for election to the office of councilmember without limit on the number of terms served in the office of councilmember.

***Create new section in RCH Article XVI:***

**Section 16- . Effective Date of Revisions -**

All provisions of the amendments to the charter of the City and County of Honolulu, approved on November 7, 2006, shall become effective as of the second day of January 2007, except as otherwise provided.

***IF ALTERNATIVE B IS ADOPTED:***

***Amend RCH Section 3-102:***

**Section 3-102. Number, Election and Terms of Office of Councilmembers —**

The council shall consist of nine members. One member shall be elected from each of the nine districts hereinafter provided. Except as provided in Section [16-122] 16- , the regular terms of office of councilmembers shall be four years beginning at twelve o'clock meridian on the second day of January following their election. [The terms shall be staggered in accordance with Section 16-122.] No person shall be elected to the office of councilmember for more than [two] three consecutive four-year terms.

***Amend RCH Section 13-116 (see paragraph no. 1):***

**Section 13-116. City Elections —**

1. In general: City elections shall be conducted in accordance with the election laws of the state insofar as applicable, but all city elective officers shall be elected by nonpartisan special elections. Except as otherwise provided in this charter, such special elections shall be held in conjunction with the primary and general elections of the applicable year. In the case of the council, such special elections shall be held in 2002 and every second year thereafter, and after the 2010 special elections, every fourth year thereafter. In the case of the mayor and the prosecuting attorney, such special elections shall be held every fourth year following the 1992 election.

2. First special election: In the case of the offices of mayor, prosecuting attorney or councilmember, any candidate receiving a majority of the votes cast for that office shall be deemed elected. However, if there is no more than one candidate for each of the offices of mayor, prosecuting attorney or councilmember, such persons shall be deemed elected regardless of the number of votes received.

3. Second special election: Unless a candidate for mayor, prosecuting attorney, or councilmember is elected in the first special election, the names of the two candidates receiving the highest number of votes for these offices in the first special election shall be placed on the ballot for the second special election. At the second special election the candidates receiving the highest number of votes for mayor, prosecuting attorney and councilmember, respectively, shall be deemed elected.

***Repeal RCH Section 16-122 and insert as new language:***

**Section 16- . Transitional Provisions for the Elimination of Councilmembers' Staggered Terms and the Extension of Term Limits From Two to Three Consecutive Terms —**

1. The staggering of councilmember terms shall end at twelve o'clock meridian on January 2, 2011, and shall be implemented in accordance with this section. Thereafter, councilmembers for all nine council districts shall be eligible for election to four-year terms commencing on January 2, 2011.

2. The extension of term limits from two to three consecutive four-year terms shall take effect at twelve o'clock meridian on January 2, 2011, and shall be implemented in accordance with this section. Thereafter, a person elected as councilmember shall be eligible for election to three consecutive four-year terms.

3. A person elected as councilmember to a four-year regular term in 2002 and 2006 in council districts II, IV, VI and VIII, shall thereafter be eligible for election to three consecutive four-year terms. A person elected as councilmember to a four-year regular term in 2006 in council districts II, IV, VI, and VIII shall thereafter be eligible for election to three consecutive four-year terms.

4. A person elected to serve as councilmember for council districts I, III, V, VII and IX in the special elections held in 2008, shall be elected to a two-year regular term commencing on January 2, 2009. After the expiration of the two-year regular term councilmembers for council districts I, III, V, VII and IX shall thereafter shall be eligible for election to three consecutive four-year terms.

*Create new section in RCH Article XVI:*

**Section 16- . Effective Date of Revisions -**

All provisions of the amendments to the charter of the City and County of Honolulu, approved on November 7, 2006, shall become effective as of the second day of January 2007, except as otherwise provided.